



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey Herold  
SERIAL NO.: 09/760,130  
FILING DATE: 03/10/2001 CONFIRMATION No.: 2248  
TITLE: Ergonomically Configured Shoulder Straps System  
EXAMINER: Cronin, Stephen K  
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ART UNIT: 3727

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 4/25/05Name: Ruth Rodriguez

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW FINAL OFFICE ACTION

Dear Sir:

This paper is responsive to the Final Office Action mailed **March 17, 2005**. As discussed below, applicant maintains that the Final Office Action is non-responsive and does not adequately respond to applicant's prior Response dated December 30, 2004. Accordingly, applicant respectfully requests that this final office action be withdrawn and the pending claims be allowed. In lieu of allowance, applicant respectfully requests that a new office action be issued that properly responds to the prior Response.

**Claims** begin on page 2 of this paper for the convenience of the Examiner.

**Remarks** begin on page 4 of this paper.



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/760,130
	Filing Date	03/10/01
	First Named Inventor	Jeffrey Herold
	Art Unit	3727
Examiner Name	Cronin, Stephen K.	
Total Number of Pages in This Submission	Attorney Docket Number	033905-014

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	THELEN REID & PRIEST, LLP		
Signature			
Printed Name	Adrienne Yeung		
Date	4/25/05	Reg. No.	44,000

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name	Ruth Rodriguez	Date	4/25/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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